

**IN THE CLAIMS:**

The following is a complete listing of the claims in this application, reflects all changes currently being made to the claims, and replaces all earlier versions and all earlier listings of the claims:

Claims 1-21 (canceled)

Claim 22 (Previously Presented): An image capture apparatus that communicates with an external recording apparatus using a wireless communication unit, said image capture apparatus comprising:

an image capture unit adapted to capture a digital image;  
a recording unit adapted to record the digital image captured by said image capture unit on a recording medium; and  
a control unit adapted to judge whether or not the digital image recorded on the recording medium is already recorded in the external recording apparatus,  
wherein said control unit automatically transmits the digital image recorded on the recording medium to the external recording apparatus if it is judged that the digital image recorded on the recording medium is not already recorded in the external recording apparatus, and

wherein said control unit avoids transmitting the digital image recorded on the recording medium to the external recording apparatus if it is judged that the digital image recorded on the recording medium is already recorded in the external recording apparatus.

Claim 23 (Previously Presented): An image capture apparatus that communicates with an external recording apparatus using a wireless communication unit, said image capture apparatus comprising:

an image capture unit adapted to capture a digital image;

a recording unit adapted to record the digital image captured by said image capture unit on a recording medium ; and

a control unit adapted to judge whether or not the digital image recorded on the recording medium is already recorded in the external recording apparatus, wherein said control unit automatically transmits the digital image recorded on the recording medium to the external recording apparatus if it is judged that the digital image recorded on the recording medium is not already recorded in the external recording apparatus, and

wherein said control unit deletes the digital image recorded on the recording medium from the recording medium if it is judged that the digital image recorded on the recording medium is already recorded in the external recording apparatus.

Claim 24 (Currently Amended) An The image capture apparatus according to claim 22, wherein the image communication capture apparatus includes is a camera integrated video recorder or a digital camera.

Claim 25 (Previously Presented): A method performed by an image capture apparatus, the image capture apparatus communicates with an external recording

apparatus using a wireless communication unit and includes an image capture unit adapted to capture a digital image and a recording unit adapted to record the digital image captured by the image capture unit on a recording medium, said method comprising steps of:

judging whether or not the digital image recorded on the recording medium is already recorded in the external recording apparatus; and

automatically transmitting the digital image recorded on the recording medium to the external recording apparatus if it is judged that the digital image recorded on the recording medium is not already recorded in the external recording apparatus,

wherein the digital image recorded on the recording medium is not transmitted to the external recording apparatus if it is judged that the digital image recorded on the recording medium is already recorded in the external recording apparatus.

Claim 26 (Previously Presented): A method performed by an image capture apparatus, the image capture apparatus communicates with an external recording apparatus using a wireless communication unit, and includes an image capture unit adapted to capture a digital image and a recording unit adapted to record the digital image captured by the image capture unit on a recording medium, said method comprising steps of:

judging whether or not the digital image recorded on the recording medium is already recorded in the external recording apparatus;

automatically transmitting the digital image recorded on the recording medium to the external recording apparatus if it is judged that the digital image recorded on the recording medium is not already recorded in the external recording apparatus, and

deleting the digital image recorded on the recording medium from the recording medium if it is judged that the digital image recorded on the recording medium is already recorded in the external recording apparatus.

Claim 27 (Currently Amended): ~~An~~ The image capture apparatus according to claim 23, wherein the image communication capture apparatus ~~includes~~ is a camera integrated video recorder or a digital camera.

Claim 28 (Currently Amended): ~~An~~ The method according to claim 25, wherein the image communication capture apparatus ~~includes~~ is a camera integrated video recorder or a digital camera.

Claim 29 (Currently Amended): ~~An~~ The method according to claim 26, wherein the image communication capture apparatus ~~includes~~ is a camera integrated video recorder or a digital camera.

Claims 30-33 (canceled)

Claim 34 (New): The image capture apparatus according to claim 22, wherein said control unit judges whether or not the digital image recorded on the recording medium is already recorded in the external recording apparatus using a list received from the external recording apparatus.

Claim 35 (New): The image capture apparatus according to claim 23, wherein said control unit judges whether or not the digital image recorded on the recording medium is already recorded in the external recording apparatus using a list received from the external recording apparatus.

Claim 36 (New): The method according to claim 25, wherein said judging step includes judging whether or not the digital image recorded on the recording medium is already recorded in the external recording apparatus using a list received from the external recording apparatus.

Claim 37 (New): The method according to claim 26, wherein said judging step includes judging whether or not the digital image recorded on the recording medium is already recorded in the external recording apparatus using a list received from the external recording apparatus.